

House Engrossed Senate Bill

FILED

**KEN BENNETT
SECRETARY OF STATE**

State of Arizona
Senate
Fiftieth Legislature
First Regular Session
2011

CHAPTER 275

SENATE BILL 1589

AN ACT

AMENDING SECTION 28-5102, ARIZONA REVISED STATUTES; RELATING TO MOTOR VEHICLE
AUTHORIZED THIRD PARTIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-5102, Arizona Revised Statutes, is amended to
3 read:

4 28-5102. Powers and duties of director

5 A. The director shall:

6 1. Supervise and regulate all persons required by this article to
7 obtain authorization.

8 2. ESTABLISH MINIMUM QUALITY STANDARDS OF SERVICE AND A QUALITY
9 ASSURANCE PROGRAM FOR AUTHORIZED THIRD PARTIES TO ENSURE THAT AN AUTHORIZED
10 THIRD PARTY IS COMPLYING WITH THE MINIMUM STANDARDS.

11 B. The director may:

12 1. Conduct investigations the director deems necessary.

13 2. Conduct audits.

14 3. Make on-site inspections during regular business hours and at
15 locations as the director deems appropriate to determine compliance by an
16 authorized third party with this article. If an inspection is conducted at a
17 place located outside this state, the director may charge a fee to the
18 authorized third party.

19 4. Require that an authorized third party or employees or agents of an
20 authorized third party be certified to perform the functions prescribed in
21 this article.

22 5. Require authorized third parties and authorized third party
23 electronic service providers to reimburse the department for mutually agreed
24 on costs.

25 Sec. 2. Department of transportation; authorized third party
26 report; delayed repeal

27 A. The department of transportation shall submit a report to the
28 governor, the president of the senate and the speaker of the house of
29 representatives on or before December 31, 2011 and shall provide a copy of
30 this report to the secretary of state. The report shall be on the provision
31 of services by authorized third parties pursuant to title 28, chapter 13,
32 Arizona Revised Statutes. The report shall:

33 1. Review current services offered by authorized third parties.

34 2. Identify, review and, if necessary, recommend opportunities for new
35 services or the expansion of current services to be provided by authorized
36 third parties, including:

37 (a) The issuance of driver licenses.

38 (b) The privatization of field offices of the department of
39 transportation.

40 (c) Level one inspections as described in section 28-2011, Arizona
41 Revised Statutes, for mobile homes as defined in section 28-2001, Arizona
42 Revised Statutes.

43 (d) Level two and level three inspections as described in section
44 28-2011, Arizona Revised Statutes, for motor vehicles as defined in section
45 28-101, Arizona Revised Statutes.

- 1 3. Identify and make recommendations regarding any barriers that may
- 2 exist to further privatization, including:
- 3 (a) Security issues.
- 4 (b) Identity theft prevention measures.
- 5 4. Identify and make recommendations to increase efficiency and reduce
- 6 costs to the department of transportation and authorized third parties,
- 7 including:
- 8 (a) Equipment needs and costs of procurement.
- 9 (b) Status code access.
- 10 (c) Document management and digitalization.
- 11 5. Contain a review and, if necessary, a recommendation on retention
- 12 fees.
- 13 B. Before the department of transportation submits the report pursuant
- 14 to subsection A, the department of transportation may allow for a thirty day
- 15 comment period and may include those comments in the report.
- 16 C. This section is repealed from and after September 30, 2012.

APPROVED BY THE GOVERNOR APRIL 26, 2011.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 26, 2011.

Passed the House April 19, 2011,

by the following vote: 41 Ayes,

18 Nays, 1 Not Voting

[Signature]
Speaker of the House

Cheryl Laube
Chief Clerk of the House

Passed the Senate March 15, 2011,

by the following vote: 21 Ayes,

9 Nays, 9 Not Voting

[Signature]
President of the Senate

Charmine Bellington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

 day of , 20 ,

at o'clock M.

Secretary to the Governor

Approved this day of

 , 20 ,

at o'clock M.

Governor of Arizona

S.B. 1589

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this day of , 20 ,

at o'clock M.

Secretary of State

SENATE CONCURS IN HOUSE
AMENDMENTS AND FINAL PASSAGE

Passed the Senate April 19, 2011

by the following vote: 23 Ayes,

7 Nays, 0 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

20 day of April, 2011

at 12:00 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this 26th day of

April

at 3:48 o'clock P. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 26th day of April, 2011

S.B. 1589

at 4:57 o'clock P. M.

[Signature]
Secretary of State